

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Max Segerljung, et al.

Appln. No.: 10/521,653

Filing Date: January 14, 2005

For A DEVICE IN A VEHICLE ADAPTED TO HANDLE LOADS

Docket: 821-70

RECEIVED

Dated: December 21, 2005

14 FEB 2006

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Legal Staff
International Division

PETITION FOR FILING UNDER 37 C.F.R. § 1.47(a)

Pursuant to 37 C.F.R. § 1.47(a) and M.P.E.P. §§ 409.03 and 409.03(a), it is respectfully petitioned that the above-identified application be made by joint inventor Max Segerljung on behalf of deceased joint inventor Kurt Dahlström, for the following reasons.

An executed General Power of Attorney appointing Johanna Dahlström, daughter of Kurt Dahlström, to execute all documents on behalf of deceased joint inventor Kurt Dahlström, was filed with the application papers on January 14, 2005. Attached is a

12/28/2005 LLANDGRA 00000068 10521653

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CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EV702132017US addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 21, 2005


George M. Kaplan

Declaration executed by Jan Olsson, Swedish counsel for both the assignee and joint inventors of the above-identified U.S. application, plus an English translation of a letter sent by Jan Olsson by courier to Johanna Dahlstrom on August 30, 2005.

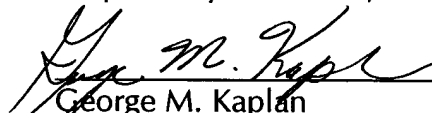
As stated in paragraph 3 of Jan Olsson's Declaration, his letter of August 30, 2005 to Johanna Dahlström enclosed copies of the application papers filed with the Patent and Trademark Office, a Combined Declaration and Power of Attorney and Assignment for execution by Johanna Dahlström on behalf of her deceased father, and a stamped, addressed return envelope for the executed documents. It was explicitly requested in the August 30, 2005 letter to Johanna Dahlström the enclosed documents be executed and returned no later than September 5, 2005, with failure to return the executed documents by that date being interpreted as refusal to sign by Johanna Dahlström.

As of December 5, 2005 (the date the enclosed Declaration was executed by Jan Olsson), no executed documents have been received by Jan Olsson. In this regard, it is stated by Jan Olsson in paragraph 4 of his Declaration that on September 2, 2005, Jan Olsson received a telephone call from Johanna Dahlström informing him that she (1) received his August 30, 2005 letter with contents, and (2) would consider the content and request in his August 30, 2005 letter. Accordingly, the address to which the August 30, 2005 letter was sent by courier to Johanna Dahlström is her correct address, because Johanna Dahlström had telephoned Jan Olsson on September 2, 2005 after receiving this letter.

Accordingly, since a *bone fide*, diligent effort has been made to secure the signature of the individual authorized to execute all documents on behalf of deceased inventor Kurt Dahlström in accordance with M.P.E.P. §409.03, and the evidence of record clearly establishes that individual's refusal to execute such documents, it is respectfully petitioned that the above-identified application be allowed to be filed by joint inventor Max Segerljung on behalf on deceased joint inventor Kurt Dahlström. A petition fee of \$200 in accordance with 37 C.F.R. §1.17(g) is enclosed, together with a copy of Form PCT/DO/EO/905 mailed June 22, 2005, a petition for a four month extension of time for response to Form PCT/DO/EO/905 and requisite petition fee under 37 C.F.R. §1.17 (m).

Favorable action on this petition is earnestly solicited.

Respectfully submitted,


George M. Kaplan
Registration No. 28,375
Attorney for Applicants

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484

IN THE UNITED STATES RECEIVING OFFICE

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**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

I, Jan Olsson, do hereby declare:

1. I am Swedish counsel for the assignee, Stock of Sweden AB, and joint inventors of the above-identified U.S. patent application, Max Segerljung and Kurt Dahlström, now deceased, and am fluent in both Swedish and English;

2. Johanna Dahlström, a daughter of deceased joint inventor Kurt Dahlström, has been appointed executor of Kurt Dahlström's estate. A copy of this General Power of Attorney appointment (in English) was filed with the United States Patent and Trademark Office on January 14, 2005;

3. On August 30, 2005, a letter enclosing (1) copies of the application papers filed with the United States Patent and Trademark Office, (2) a Combined Declaration and Power of Attorney, (3) Assignment, and (4) stamped, addressed return envelope to Bjerkens Patentbyrå AB (my office) was sent by DHL courier to Johanna Dahlström. An English translation of this letter is attached. In this letter, it is requested Johanna Dahlström

execute both the Combined Declaration and Power of Attorney and Assignment, on behalf of the deceased Kurt Dahlström, and return the executed documents in the enclosed envelope. It was requested Johanna Dahlström execute these documents no later than September 5, 2005, with failure to return the executed documents by that date being interpreted as refusal to sign;

4. To date, neither executed Combined Declaration and Power of Attorney nor executed Assignment have been received from Johanna Dahlström. I did receive a telephone call from Johanna Dahlström on September 2, 2005 informing me she would consider the content and request in my letter. However, I have heard nothing further from Johanna Dahlström, either orally or in writing, as of this date; and

5. Further, I hereby declare all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further these statements are made with the knowledge willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code, and such willful false statements may jeopardize the validity of the application or any patent issued thereon.

5.12 2005
Date


Jan Olsson

TRANSLATION INTO ENGLISH OF LETTER SENT BY DHL-COURIER TO
JOHANNA DAHLSTRÖM, NORRGÅRDEN 40, SE-186 44 VALLENTUNA, SWEDEN
ON AUGUST 30, 2005

Our ref: 21251US JON LEN

Date: Gävle on August 30, 2005

Re: New patent application in the USA, "A device in a vehicle adapted to handle loads",
Stock of Sweden AB et al.

Hello Johanna!

The United States Patent and Trademark Office has in the patent application identified above requested us to file a Power of Attorney and an assignment document signed by you as representative for the heirs of your father Kurt Dahlström. Enclosed you will find a copy of the patent application document filed with the United States Patent and Trademark Office as well as a declaration/Power of Attorney (Declaration/Power of Attorney) and an assignment document (Assignment), which we ask you to sign on the places marked and then return to us as soon as possible in the enclosed stamped addressed envelope.

We ask you to do this not later than on

September 5, 2005.

Should we not receive the documents signed by you at the latest on that day we will interpret that as a refusal to sign the documents in question.

Please contact me should you have any questions.

Kindly regards,
BJERKÉNS PATENTBYRÅ KB

Jan Olsson

Encls.: Copies of application documents filed with the United States Patent and Trademark Office,
Power of Attorney and Assignment document for signing,
Stamped addressed envelope to Bjerkéns Patentbyrå KB.

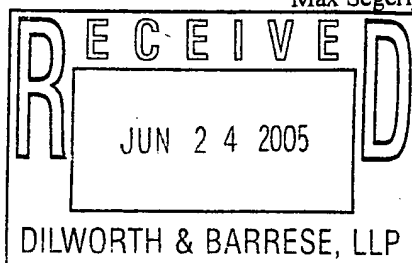


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,653	Max Segerljung	821-70

Dilworth Barrese
 Suite 702
 333 Earle Ovington Boulevard
 Uniondale, NY 11553



INTERNATIONAL APPLICATION NO.	
PCT/SE03/01074	
LA. FILING DATE	PRIORITY DATE
06/23/2003	07/15/2002

CONFIRMATION NO. 2219
 371 FORMALITIES LETTER



OC000000016342188

Date Mailed: 06/22/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/14/2005
- Copy of the International Search Report filed on 01/14/2005
- Preliminary Amendments filed on 01/14/2005
- Information Disclosure Statements filed on 01/14/2005
- Oath or Declaration filed on 01/14/2005
- Small Entity Statement filed on 01/14/2005
- U.S. Basic National Fees filed on 01/14/2005
- Assignment filed on 01/14/2005
- Priority Documents filed on 01/14/2005

DOCKET _____
 PAPER many parts
 DUE DATE 8/22
 ATTORNEY gm/ao

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
 - A declaration has to be submitted for the deceased inventor. The declaration has to be signed by his legal representative.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,653	PCT/SE03/01074	821-70

FORM PCT/DO/EO/905 (371 Formalities Notice)